Appl. No. 09/487,969
Response dated September 15, 2003
Reply to Office Action of December 31, 2002

**PATENT** 

## **REMARKS/ARGUMENTS**

This Request For Reconsideration is responsive to the Office Action mailed on December 31, 2003. A Notice of Appeal was filed on June 30, 2003. A Petition for a 1-month extension of time, and a Request for Continued Examination (RCE) are attached.

In the Office Action, claims 7, 8, 13-16, 21-24, 29, and 30 are rejected as obvious over Williams et al. (U.S. Patent No. 6,307,755) and Watanabe (U.S. Patent No. 5,365,106). Claims 9-12, 17-20, and 25-28 are rejected as obvious over Williams et al., Watanabe, and Ishibashi (U.S. Patent No. 5,394,751). The obviousness rejections are traversed.

Each obviousness rejection is based on Williams et al., which has a filing date of May 27, 1999. Attached hereto is a Declaration Under 37 CFR § 1.131 by the inventors. As indicated at paragraph 6 of the Declaration, embodiments of the invention were conceived of and reduced to practice before May 27, 1999, the filing date of Williams et al. As Williams et al. is no longer prior art, Applicants request that the obviousness rejections of record be withdrawn.

## **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Respectably submitted,

Patrićk R. Jewik Reg. No. 40,456

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834 Tel: 415-576-0200

Tel: 415-576-0200 Fax: 415-576-0300

PRJ:prj 60038970 v1